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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

RE APPLICATION OF : Alan Goldsmith and Wilbert D. Douglas
FOR : ON-SITE E-COMMERCE PARTS
ORDERING FROM PRODUCTS BEING
SERVICED
SERIAL NO. : 09/943,613
FILED : August 30, 2001
EXAMINER : PEZZUTO, Robert Eric
ART UNIT : 3671
ATTORNEY DOCKET NO. : D/A0621
XERZ 2 00426

PETITION TO WITHDRAW NOTICE OF ABANDONMENT
IMPROPERLY ISSUED

Mail Stop: Petitions
Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22312-1450

Dear Sir:

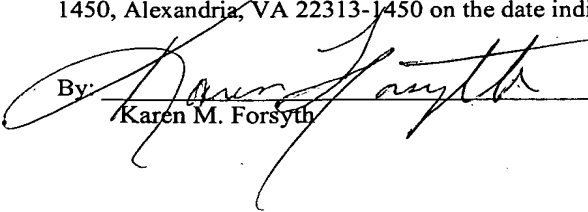
The above-identified application became abandoned for failure to file a timely and proper reply to an Office notice or action issued by the United States Patent and Trademark Office. The date of abandonment is 5 day(s) after the expiration date of the period set for reply in the Office notice or action plus any extensions of time actually obtained.

Applicants hereby petition for withdrawal of the Notice of Abandonment. The response to an Office Action mailed July 2, 2003 in the form of an Amendment A, along with a Request for a Two-Month Extension of Time was timely filed by First Class Mail on December 2, 2003.

CERTIFICATE OF MAILING

I hereby certify that this at this PETITION TO WITHDRAW NOTICE OF ABANDONMENT – IMPROPERLY ISSUED, and all documents indicated therein as being enclosed, are being deposited with the United States Postal Service as first class mail in an envelope addressed to: **Mail Stop: Petitions**, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date indicated below.

By:


Karen M. Forsyth

Date:

1-21-04

A grantable petition requires the following items:

1. Prompt notification to the Office of the previous transmission of the Response.

Applicants received the Notice of Abandonment (dated January 7, 2004) on January 9, 2004, and are now notifying the Office of the earlier response.

2. Copy of the previously transmitted Correspondence.

The reply and/or fee to the above-noted Office action in the form of an Amendment A and Request for a Two-Month Extension of Time are enclosed. Also enclosed are (1) a copy of the canceled check in the amount of \$420.00 for the Extension fee, and (2) a copy of the PTO Mail Room acknowledgement postcard showing that the receipt was acknowledged on December 4, 2003.

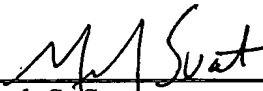
3. Statement which attests, on a personal knowledge basis, that the Correspondence was filed in a timely manner.

A Statement signed by Karen M. Forsyth, the signatory of the Certificate of First Class Mailing is attached as Exhibit A.

No fees are believed due with submission of this Petition; however, should any fees be deemed necessary, please charge Deposit Account 06-0308 in the full amount.

Respectfully submitted,

FAY, SHARPE, FAGAN,
MINNICH & McKEE, LLP



Mark S. Svat
Reg. No. 34,261
1100 Superior Avenue, 7th Floor
Cleveland, Ohio 44114-2579
216-861-5582

**Enclosures: Copy of Originally Transmitted Response
Copy of PTO Mail Room date-stamped return postcard
Exhibit A, Statement of Karen M. Forsyth**